

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office  
FLOOR DEBATE

April 13, 2004 LB 1065

not a happy situation out there, but they claim they will be back in production by June 1 at a rate of 14 million gallons a year on an annual basis. Talk is cheap, I understand that. We've been through a lot of issues with Sutherland so I'm torn whether to say yes. If this would make the EPIC Fund whole and this is the end of it, I'd vote for this in a second. But I fear that there's a number of unknowns out there. Sutherland is one of them. And in spite of what I may think, I think some people figure they're going to qualify for subsidies under these temporary production facilities and, although they wouldn't begin earning credits for a number of years, they're still going to be out there and maybe we just address them at that time, Senator Beutler. It's not going to be you or me, I guess, because we're going to be term limited out. But it's a difficult decision for me. When we put LB 1065 together, we agreed to stick together and maintain what we had. It was changed in...on General File, as you well know. We took out the .3 cent a gallon fuel tax, so this bill has progressed along and there have been circumstances changed. There still is that unknown out there with the Sutherland plant which qualifies under an old program, and what these temporary facilities may do in the next, what, two months, I guess they have, basically May and June. So I'm going to listen to the debate. I applaud Senator Beutler for the help here. We...it's obviously not a complicated change. It's simply extending the checkoff a year, as he said, and the fuel tax two years. It makes the fund whole, there's no denying that. I guess I'd say the will of the body is going to prevail here, obviously. I don't know whether to say I support it or not yet, but I'm certainly going to listen to the debate. It's tempting to me to do it, and probably we won't have to come back to ethanol next session because, even if these temporary facilities are built and they qualify, they're not going to begin drawing credits for a number of years because I don't think any of them have the money raised to build the plants and they don't...most of them don't have the permits and so on, and it's going to be probably two to three years before they get on if they don't have their permits, air quality construction permits and so on. So we'll see. And I'm more than willing to listen to the debate here and I'll try and determine what it is I'm going to do there. So again, thank you, Senator Beutler. It's been a good discussion between